

REMARKS

The applicants have carefully reviewed the office action mailed on July 27, 2005. In the Office action, the Examiner rejected claims 1-4, 13-15, 17-20, 22, 23 and 25 under 35 U.S.C. §102 over U.S. Patent No. 4,552,206 to Johnson et al. ("Johnson"). In particular, the Examiner indicates that "Johnson discloses self-fastened heat sinks comprising all of the applicant's claimed and disclosed limitations." In response, the applicants have amended independent claim 1 to highlight that the heat sink is not just separate from the mounting plate in terms of distance, but also distinct from the mounting plate in that it is not part of the heat sink. Claim 19 has been amended to be consistent with claim 1.

There are several basic difference between Johnson and independent claim 1 as amended and claim 19 as amended. Johnson discloses only one element -- a heat sink. Claims 1 and 19 require two distinct and individual elements: (1) a heat sink and (2) a separate mounting plate. Claims 1 and 19 also require that the mounting plate includes a base portion through which at least one hole extends to pass a lead of a component and further require that the heat sink is secured relative to the mounting plate by mounting flanges that extend from the base portion.

Johnson does not teach all of the elements of claim 1 as amended or claim 19 because Johnson does not teach or suggest a mounting plate having mounting flanges that extend from a base portion for mounting a heat sink. Rather, Johnson teaches only a heat sink, which cannot be mounted to itself. While the Examiner is correct that Johnson discloses flanges, these flanges are not mounting flanges that extend from a base portion of the mounting plate for mounting a separate heat sink to the mounting plate.

Finally, the Examiner identifies Figure 4 as teaching a mounting plate having holes through which to pass leads of a component. As amended, claims 1 and 19 now recite that at

least one hole extends through a base portion of the mounting plate. Figure 4 is “an end view of the heat sink of Figure 2.” It is apparent from Figure 2, Figure 4 and the other figures that Johnson does not teach or suggest “the mounting plate having ... at least one hole extending through the base portion of the mounting plate” and mounting the leads of the component to the substrate through the at least one hole as claimed in independent claims 1 and 19. Rather, the heat sink of Johnson is one integrated piece that includes a lower plate that enables a component to be slid onto the plate and the leads of the component drape over the edge of the plate. Accordingly, Johnson does not anticipate independent claims 1 or 19 or claims depending therefrom.

Ju and Buller do not cure the deficiencies of Johnson. Because Johnson fails to teach the limitations discussed above with respect to claims 1 and 19, the Examiner also has not made out a prima facie case of obviousness with respect to the claims rejected under 35 U.S.C. § 103. Accordingly, the combinations of Johnson and Ju, and Johnson Ju and Buller fails to teach the invention of claims 5-12, 16, 21, 24 and 26.

For the foregoing reasons, reconsideration and allowance of the pending claims is respectfully requested. If the Examiner has any questions about this Amendment and to facilitate prosecution, the Examiner is encouraged to call the undersigned attorney.

Respectfully submitted,

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